
TEXT OF RULE

SECTION 1. Chapter DE 10 is created to read:

CHAPTER DE 10
MOBILE DENTISTRY

DE 10.01 Definitions. In this chapter:

(1) “Mobile dentistry program”

(a) Mobile dentistry program means a program delivering dental or dental hygiene care in one of the following:

1. Using portable equipment or supplies that are transported to any location that is not an intact dental or hospital facility.
2. In a self-contained, intact facility that can be moved.

(b) A program providing dental or dental hygienist care is not a mobile dentistry program if it meets all of the following requirements:

1. The dental or dental hygiene care is provided within a 30 mile radius of their main or satellite facility
2. The care is billed by the main or satellite dental facility.
3. The dentist or dental hygienist provides any necessary follow-up care to the patient.

(2) “Mobile dentistry program registrant” means a person registered under s. 447.058, Stats.

DE 10.02 Mobile dentistry program registration. (1) REGISTRATION REQUIRED. (a) No person may own or operate a mobile dentistry program in this state unless the person is registered under this section. A person that wishes to own or operate more than one mobile dentistry program in this state shall apply for a separate registration under this section for each mobile dentistry program the person owns or operates.

(b) A mobile dentistry program providing dental hygiene as defined by s. 447.01(3), Stats. or dentistry as defined by s. 447.01(8), Stats. constitutes the operation of a mobile dentistry program and requires registration.

(2) REGISTRATION. An applicant for registration to own or operate a mobile dentistry program shall submit all of the following:

- (a) An application for registration on a form provided by the department.
 - (b) The fee specified in s. 440.05(1).
 - (c) A list of all employees or contractors who are providing dental care in Wisconsin. The list shall include the Wisconsin license number for each person providing dental care.
- (3) RENEWAL. A mobile dentistry program registrant renewing a registration shall submit all of the following:
- (a) A renewal form provided by the department.
 - (b) The renewal fee as determined by the department under s. 440.03(9)(a).
 - (c) A list of all employees or contractors who are providing dental care in Wisconsin. The list shall include the Wisconsin license number for each person providing dental care.

DE 10.03 Access to patient records. The mobile dentistry program registrant shall do all of the following:

- (1) Provide each patient with the name and contact information of the mobile dentistry program providing services.
- (2) At the time of providing services, give each patient a written description of the dental services provided for that patient and the findings and recommendations.
- (3) Maintain patient dental records in accordance with ch. DE 8, Wis. Admin. Code.
- (4) Provide access to dental records in accordance with s. 146.83, Stats.

DE 10.04 Referrals. (1) The mobile dentistry program shall establish a referral base within a 30 mile radius of the location the services are being provided. Evidence of establishment of a referral base shall be documentation of contacting all the dentists in the radius area or 20 dentists, whichever is less. The mobile dentistry program registrant shall have a referral agreement with each referral provider including all of the following:

- (a) Name, address and phone number of the referral provider.
 - (b) Types of payment or insurance accepted by the referral provider.
- (2) The mobile dentistry program shall provide to the patient referral information for follow-up care including all of the following:
- (a) Name, address and phone number of each referral provider.
 - (b) Types of payment or insurance accepted by the referral provider.

DE 10.05 Standards of conduct. Unprofessional conduct by a mobile dentistry program registrant includes any of the following:

- (1) Failure to update the Department within 30 days of new employees or contractors providing dental services in Wisconsin.
- (2) Violating any provision under ss. DE 10.03 or 10.04.
- (3) Engaging in unprofessional conduct under s. DE 5.02.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)
